

Senate File 2195

S-5141

1 Amend Senate File 2195 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. NEW SECTION. 261.117 **Mental health**
5 **practitioner loan repayment program — trust fund —**
6 **appropriation.**

7 1. *Program established.* The commission shall establish
8 a mental health practitioner loan repayment program for
9 the purposes of providing loan repayments for mental health
10 practitioners who agree to practice in service commitment areas
11 for at least five years and who meet the requirements of this
12 section.

13 2. *Eligibility.* An individual is eligible to apply to enter
14 into a program agreement with the commission if the individual
15 is enrolled full-time in a curriculum leading to employment as
16 a mental health practitioner. A recipient of a loan repayment
17 award under section 261.113, 261.114, 261.115, or 261.116 shall
18 not be eligible for a loan repayment award under this chapter.

19 3. *Program agreements.* A program agreement shall be
20 entered into by an eligible student and the commission when the
21 eligible student begins the final year of study in an academic
22 program leading to eligibility for employment as a mental
23 health practitioner. Under the agreement, to receive loan
24 repayments pursuant to subsection 5, an eligible student shall
25 agree to and shall fulfill all of the following requirements:

26 a. Receive a graduate-level credential qualifying the
27 credential recipient for employment as a mental health
28 practitioner.

29 b. Receive a license to practice in this state.

30 c. Within nine months of meeting the requirements of a
31 mental health practitioner, engage in full-time practice as
32 a mental health practitioner for a period of five years in a
33 service commitment area.

34 d. During the five-year period of full-time practice, be
35 enrolled as an actively participating Medicaid provider.

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(amending this SF 2195 to CONFORM to HF 2549)

1 4. *Priorities in making awards.* In making awards under this
2 section, the commission shall give priority to:

3 a. Eligible students who are residents of Iowa upon
4 enrolling in a university and who agree to practice in a
5 service commitment area located in a mental health professional
6 shortage area.

7 b. Service commitment areas that are located in mental
8 health professional shortage areas.

9 5. *Loan repayment amounts.*

10 a. The amount of loan repayment an eligible student who
11 enters into an agreement pursuant to subsection 3 shall receive
12 if in compliance with obligations under the agreement shall be
13 as follows:

14 (1) For a psychiatrist, forty thousand dollars annually
15 with a maximum of two hundred thousand dollars for an eligible
16 loan, not to exceed the total loan amount.

17 (2) For a psychologist or a mental health professional,
18 eight thousand dollars annually with a maximum of forty
19 thousand dollars for an eligible loan, not to exceed the total
20 loan amount.

21 (3) For a physician assistant practicing under the
22 supervision of a psychiatrist, or for a psychiatric advanced
23 registered nurse practitioner, ten thousand dollars annually
24 with a maximum of fifty thousand dollars, not to exceed the
25 total loan amount.

26 b. If the total amount of the eligible student's loan
27 upon graduation is less than the maximum amount specified,
28 the commission shall divide the total amount of the eligible
29 student's eligible loan by five to determine the annual amount
30 of loan repayment the loan recipient is eligible to receive.

31 c. Payments under this section may be made for each year of
32 eligible practice during a period of five consecutive years.

33 6. *Refinanced loans.* A loan repayment recipient who
34 refinances an eligible loan by obtaining a private educational
35 loan may continue to receive loan repayment under this section

1 if the amount of loan repayment does not exceed the lesser of
2 the amount specified in subsection 5 or the balance of the loan
3 repayment amount the loan repayment recipient qualified to
4 receive with the eligible loan.

5 7. *Program agreement limitation.* The commission shall by
6 rule determine the number of agreements entered into annually
7 based upon the funding available.

8 8. *Selection of service commitment area.* A loan repayment
9 recipient shall notify the commission of the recipient's
10 service commitment area prior to beginning practice in the area
11 in accordance with subsection 3, paragraph "c". Priority shall
12 be given to recipients who select service commitment areas
13 located in mental health professional shortage areas. The
14 commission may waive the requirement that the loan repayment
15 recipient practice in the same service commitment area for all
16 five years.

17 9. *Rules for additional loan repayment.* The commission
18 shall adopt rules to provide, in addition to loan repayment
19 provided to eligible students pursuant to this section and
20 subject to the availability of surplus funds, loan repayment to
21 a psychiatrist, a psychologist, a mental health professional,
22 a physician assistant practicing under the supervision of
23 a psychiatrist, or a psychiatric advanced registered nurse
24 practitioner, who, as provided in subsection 3, received a
25 degree from a university, obtained a license to practice
26 in this state, and is engaged in full-time practice in the
27 respective profession in a service commitment area.

28 10. *Part-time practice — agreement amended.* A person who
29 entered into an agreement pursuant to subsection 3 may apply
30 to the commission to amend the agreement to allow the person
31 to engage in less than the full-time practice specified in the
32 agreement and under subsection 3, paragraph "c". The commission
33 and the person may consent to amend the agreement under which
34 the person shall engage in less than full-time practice in a
35 service commitment area for an extended period of part-time

1 practice determined by the commission to be proportional to
2 the amount of full-time practice remaining under the original
3 agreement. For purposes of this subsection, "*less than*
4 *the full-time practice*" means at least seventy percent of a
5 forty-hour workweek.

6 11. *Postponement and satisfaction of service obligation.*

7 a. The obligation to engage in practice in accordance with
8 subsection 3 shall be postponed for the following purposes:

9 (1) Active duty status in the armed forces, the armed forces
10 military reserve, or the national guard.

11 (2) Service in volunteers in service to America.

12 (3) Service in the federal peace corps.

13 (4) A period of service commitment to the United States
14 public health service commissioned corps.

15 (5) A period of religious missionary work conducted by an
16 organization exempt from federal income taxation pursuant to
17 section 501(c)(3) of the Internal Revenue Code.

18 (6) Any period of temporary medical incapacity during which
19 the person obligated is unable, due to a medical condition, to
20 engage in full-time practice as required under subsection 3,
21 paragraph "c".

22 b. Except for a postponement under paragraph "a",
23 subparagraph (6), an obligation to engage in practice under an
24 agreement entered into pursuant to subsection 3 shall not be
25 postponed for more than two years from the time the full-time
26 practice was to have commenced under the agreement.

27 c. An obligation to engage in full-time practice under
28 an agreement entered into pursuant to subsection 3 shall be
29 considered satisfied when any of the following conditions are
30 met:

31 (1) The terms of the agreement are completed.

32 (2) The person who entered into the agreement dies.

33 (3) The person who entered into the agreement, due to a
34 permanent disability, is unable to practice as a mental health
35 practitioner.

1 *d.* If a loan repayment recipient fails to fulfill
2 the obligation to engage in practice in accordance with
3 subsection 3, the recipient shall be subject to repayment to
4 the commission of the loan amount plus interest as specified
5 by rule. A loan repayment recipient who fails to meet the
6 requirements of the obligation to engage in practice in
7 accordance with subsection 3 may also be subject to repayment
8 of moneys advanced by the service commitment area as provided
9 in any agreement with the service commitment area.

10 12. *Trust fund established.* A mental health practitioner
11 loan repayment program trust fund is created in the state
12 treasury as a separate fund under the control of the
13 commission. The commission shall remit all repayments made
14 pursuant to this section to the trust fund. All moneys
15 deposited or paid into the trust fund are appropriated and
16 made available to the commission to be used for meeting the
17 requirements of this section. Moneys in the trust fund up
18 to the total amount that an eligible student may receive
19 for an eligible loan in accordance with this section and
20 upon fulfilling the requirements of subsection 3, shall be
21 considered encumbered for the duration of the agreement entered
22 into pursuant to subsection 3. Notwithstanding section 8.33,
23 any balance in the trust fund on June 30 of each fiscal year
24 shall not revert to the general fund of the state, but shall
25 be available for purposes of this section in subsequent fiscal
26 years.

27 13. *Report.* The commission shall submit in a report to
28 the general assembly by January 1, annually, the number of
29 individuals who received loan repayment pursuant to this
30 section, where the participants practiced, the amount paid to
31 each program participant, and other information identified by
32 the commission as indicators of outcomes of the program.

33 14. *Rules.* The commission shall adopt rules pursuant to
34 chapter 17A to administer this section.

35 15. *Definitions.* For purposes of this section:

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1 *a. "Advanced registered nurse practitioner"* means a person
2 licensed as a registered nurse under chapter 152 or 152E who
3 is licensed by the board of nursing as an advanced registered
4 nurse practitioner.

5 *b. "Eligible loan"* means the recipient's total federally
6 guaranteed Stafford loan amount under the federal family
7 education loan program or the federal direct loan program, the
8 recipient's federal grad plus loans, or the recipient's federal
9 Perkins loan, including principal and interest.

10 *c. "Mental health practitioner"* means a psychiatrist,
11 a psychologist, a mental health professional, a physician
12 assistant practicing under the supervision of a psychiatrist,
13 or a psychiatric advanced registered nurse practitioner.

14 *d. "Mental health professional"* means an individual who
15 meets all of the following qualifications:

16 (1) The individual holds at least a master's degree in
17 a mental health field, including psychology, counseling and
18 guidance, social work, marriage and family therapy, or mental
19 health counseling.

20 (2) The individual holds a current Iowa license if
21 practicing in a field covered by an Iowa licensure law.

22 (3) The individual has at least two years of post-degree
23 clinical experience, supervised by another individual in the
24 mental health field, in assessing mental health needs and
25 problems and in providing appropriate mental health services.

26 *e. "Mental health professional shortage area"* means a mental
27 health health professional shortage area designated by the
28 health resources and services administration of the United
29 States department of health and human services.

30 *f. "Psychiatric advanced registered nurse practitioner"*
31 means an individual currently licensed as a registered nurse
32 under chapter 152 or 152E who holds a national certification in
33 psychiatric mental health care and who is licensed by the board
34 of nursing as an advanced registered nurse practitioner.

35 *g. "Service commitment area"* means a city in Iowa that

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1 provides the following contribution amounts for deposit in the
2 mental health practitioner loan repayment trust fund for each
3 loan recipient in the community who is participating in the
4 loan repayment program:

- 5 (1) For a psychiatrist, twenty thousand dollars.
- 6 (2) For a psychologist or a mental health professional, four
7 thousand dollars.
- 8 (3) For a physician assistant practicing under the
9 supervision of a psychiatrist, or for a psychiatric advanced
10 registered nurse practitioner, five thousand dollars.

11 Sec. 2. MENTAL HEALTH PRACTITIONER LOAN REPAYMENT PROGRAM
12 TRUST FUND — APPROPRIATION. There is appropriated from the
13 general fund of the state to the college student aid commission
14 for the fiscal year beginning July 1, 2022, and ending June
15 30, 2023, the following amounts, or so much thereof as is
16 necessary, to be used for the purposes designated:

17 For deposit in the mental health practitioner loan repayment
18 program trust fund established pursuant to section 261.117, to
19 be used for the purposes of the program:

20 \$ 1,500,000>

21 2. Title page, by striking lines 1 and 2 and inserting
22 <An Act relating to the establishment of a mental health
23 practitioner loan repayment program, and providing an
24 appropriation.>

CHRIS COURNOYER